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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,173	08/29/2000	Nicholas J. Lee	AMAZON.059A	8624

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EXAMINER	
OPSASNICK, MICHAEL N	
ART UNIT	**PAPER NUMBER**
2655	14

DATE MAILED: 11/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary	Application No.	Applicant(s)	
	09/650,173	LEE, NICHOLAS J.	
	Examiner	Art Unit	
	Michael N. Opsasnick	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *9* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1,2,7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brotman et al (5917889) in view of Weber (6532444) in further view of Nguyen et al (5995928).

As per claims 1,14, Brotman et al (5917889) teaches a voice recognition accuracy (col. 2 lines 45-55) comprising:

"prompting a user.....characters", "identifying a subset....characters", "generating a dynamic.....items" as prompting and creating a dynamic grammar (fig. 2, and col. 4 lines 46-67)

"prompting the user.....grammar" as voice prompt and recognition (Fig. 2, subblocks 640-730)

executing a search using the query, adding a query to the search, and developing a grammar from this search query (col. 5 lines 35-67);

Brotman et al (5917889) does not explicitly teach using a voice query to search a domain of items and a grammar specifying valid utterance for interpreting the voice query, however, Weber (6532444) teaches providing utterances to a speech processor that uses a grammar to determine matches (Fig. 3a). Therefore, it would have been obvious to one of ordinary skill in the art of query systems to modify the teachings of Brotman et al with speech recognition utterance capability and comparing to a grammar because it would make the system as taught by Brotman a more user interactive speech recognition system (Weber, col. 2 lines 53-65, solving the deficiencies listed in col. 2 lines 11-50).

As per claims 1,14, the combination of Brotman et al (5917889) in view of Weber (6532444) does not explicitly teach the voice query is an utterance and a set of characters defines a portion of the voiced search query, however, Nguyen et al (5995928) teaches speech recognition of voice input on a spelling basis (abstract, col. 4 lines 18-21, col. 4 lines 27-45, col. 5 lines 5-21). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition to modify the teachings of Brotman et al (5917889) in view of Weber (6532444) to incorporate generating of spelled character interpretation of input speech because it would advantageously allow the system to provide early identification of an input word (Nguyen, col. 5 lines 50-53).

As per claim 2, Brotman et al (5917889) teaches "prompting a user.....query term" as N character submission (col. 4 lines 36-41)

As per claim 7, Brotman et al (5917889) teaches user selected keypad entry (col. 4 lines 36-41)

As per claim 8, Brotman et al (5917889) teaches "user uttering the characters and using the keypad entries of the.....character" as using utterances to match (col. 4 lines 15-35).

As per claim 9, Brotman et al (5917889) teaches dynamic grammar usage (col. 4 lines 47-52)

As per claim 10, Brotman et al (5917889) teaches extracting text from a subset of items derived from a database (col. 5 lines 25-30)

As per claim 11, Brotman et al (5917889) teaches storage of the subset (col. 5 lines 18-24)

As per claim 12, Brotman et al (5917889) teaches a fixed number of input characters (col. 5 lines 25-30)

As per claim 13, Brotman et al (5917889) teaches determination of a threshold number of characters (col. 5 lines 25-30).

3. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brotman et al (5917889) in view of Weber (6532444) in further view of Nguyen et al (5995928) in further view of Weber (6434524).

As per claims 3-6, the combination of Brotman et al (5917889) in view of Weber (6532444) in further view of Nguyen et al (5995928) does not explicitly teach using subcategories labeled as "author", however, Weber et al teaches an object interactive user interface using speech recognition with subcategories of author (Weber, col. 6 lines 56-63). Therefore, it would have been obvious to one of ordinary skill in the art of speech signal processing to modify the teachings of Brotman et al (5917889) in view of Weber (6532444) in further view of Nguyen et al (5995928) with categorization of speech inputs, such as author, because it would advantageously allow the system to be adapted to a specific task, thereby limiting the amount of relevant data, and therefore speeding the search engine (col. 2 lines 45-55).

4. Claims 15,16,20-26,28,29,31-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brotman et al (5917889) in view of Weber (6532444).

As per claims 15,16,24-26,33,35,36,40-43,48-51,54,55 Brotman et al (5917889) teaches a voice recognition accuracy (col. 2 lines 45-55) comprising:

"prompting a user.....characters", "identifying a subset....characters", "generating a dynamic.....items" as prompting and creating a dynamic grammar (fig. 2, and col. 4 lines 46-67)

"prompting the user.....grammar" as voice prompt and recognition (Fig. 2, subblocks 640-730)

executing a search using the query, adding a query to the search, and developing a grammar from this search query (col. 5 lines 35-67);

Brotman et al (5917889) does not explicitly teach using a voice query to search a domain of items and a grammar specifying valid utterance for interpreting the voice query, however, Weber (6532444) teaches providing utterances to a speech processor that uses a grammar to determine matches (Fig. 3a). Therefore, it would have been obvious to one of ordinary skill in the art of query systems to modify the teachings of Brotman et al with speech recognition utterance capability and comparing to a grammar because it would make the system as taught by Brotman a more user interactive speech recognition system (Weber, col. 2 lines 53-65, solving the deficiencies listed in col. 2 lines 11-50).

As per claims 20,29,44,45 Brotman et al (5917889) teaches "prompting a user.....query term" as N character submission (col. 4 lines 36-41)

As per claims 21,22, and 32,46 Brotman et al (5917889) teaches user selected keypad entry (col. 4 lines 36-41)

As per claims 46,52, Brotman et al (5917889) teaches "user uttering the characters and using the keypad entries of the.....character" as using utterances to match (col. 4 lines 15-35).

As per claims 34,47, Brotman et al (5917889) teaches dynamic grammar usage (col. 4 lines 47-52)

As per claims 39,51,54, Brotman et al (5917889) teaches extracting text from a subset of items derived from a database (col. 5 lines 25-30)

As per claims 28,38, Brotman et al (5917889) teaches storage of the subset (col. 5 lines 18-24)

As per claim 31, Brotman et al (5917889) teaches a fixed number of input characters (col. 5 lines 25-30)

As per claims 23,37, Brotman et al (5917889) teaches determination of a threshold number of characters (col. 5 lines 25-30).

5. Claims 17-19,27, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brotman et al (5917889) in view of Weber (6532444) in further view of Weber (6434524).

As per claims 17-19, 27,30 the combination of Brotman et al (5917889) in view of Weber (6532444) does not explicitly teach using subcategories labeled as "author", however, Weber et al teaches an object interactive user interface using speech recognition with subcategories of author (Weber, col. 6 lines 56-63). Therefore, it would have been

obvious to one of ordinary skill in the art of speech signal processing to modify the teachings of Brotman et al (5917889) in view of Weber (6532444) with categorization of speech inputs, such as author, because it would advantageously allow the system to be adapted to a specific task, thereby limiting the amount of relevant data, and therefore speeding the search engine (col. 2 lines 45-55).

Response to Arguments

6. Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection. As per the arguments with respect to claim 1, examiner directs applicant to the new grounds of rejection using the Nguyen (5995928) reference, as presented above. As per the arguments with respect to the remaining independent claims, examiner argues that the combination of Brotman et al (5917889) in view of Weber (6532444) teaches capturing a subset of characters in a recognition process, as presented above (examiner notes that the claim language scope of independent claims 15,24,33,43, and 50 is broad enough not to require a voice recognition based search query, as argued by the applicants.)

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:
(703) 872 9314,
(for informal or draft communications, please label "PROPOSED" or "DRAFT")
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

mno
11/23/2003

11/24/03
DORIS H. TO
SUPERVISORY PATENT EXAMINER
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